

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NUMBER FIVE TO THE CONSTRUCTION CONTRACT WITH MATOUS CONSTRUCTION, LTD. OF BELTON, TEXAS FOR THE CONSTRUCTION OF THE WATER TREATMENT PLANT MEMBRANE FACILITY EXPANSION IN THE ESTIMATED AMOUNT OF \$131,585.29; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this item will allow for the execution of Change Order No. 5 to the construction contract with Matous Construction, Ltd. (Matous) of Belton, Texas for the construction of the Water Treatment Plant Membrane Facility Expansion - as outlined in the Engineer's Letter of Recommendation, attached hereto and incorporated herein as Exhibit A, this change order includes items required by the Texas Commission on Environmental Quality during its site inspections to obtain final approval;

Whereas, these items include additional sample ports, a sodium hypochlorite safety high water alarm, an additional combined effluent turbidimeter, a sample pump during the interim disinfection condition, and other safety features that include secondary power feeds to UV system and duplex pump system for the sodium hypochlorite storage area - this is the final change order and will allow the project to be closed out;

Whereas, on March, 4, 2021, Council authorized a construction contract with Matous for this project in the amount of \$44,608,188.70, and authorized Change Order Nos. 1 through 4 in the total amount of \$1,685,394.46 - with the execution of this change order, the revised value of the construction contract will be \$46,425,168.45, a 4.07 percent increase to the original contract amount;

Whereas, the Membrane Facility Expansion Project has been substantially complete and in service since March 2024 - this change order will revise the final completion date to February 17, 2025 to coincide with the completion of the PLC upgrades that were added in Change Order No. 4;

Whereas, Staff recommends Council authorize Change Order No. 5 to the construction contract with Matous for the construction of the Water Treatment Plant Membrane Facility Expansion in the estimated amount of \$131,585.29; and

Whereas, funding for Change Order No. 5 to this construction contract in the amount of \$131,585.29 is available in Project No. 102027, as follows:

	520-5100-535-6310	561-5100-535-6921	Total
Project Budget	\$ 8,000,000	\$ 43,150,992	\$ 51,150,992
Encumbered/Committed to Date	(8,000,000)	(43,019,406)	(51,019,406)
Matous Construction CO #5	-	(131,586)	(131,586)
Remaining Project Funds Available	\$ -	\$ -	\$ -

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes Change Order No. 5 to the construction contract with Matous Construction, Ltd. of Belton, Texas for the construction of the Water Treatment Plant Membrane Facility Expansion in the estimated amount of \$131,585.29, and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **March, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney